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SUBJECT: ETHIOPIA: UNIONS AND UNIONIZATION AN EVOLVING PHENOMENON

Summary -----

¶1. Ethiopia's unions are small institutions experiencing difficulties in the context of a growing private sector. Although both constitutional and labor laws recognize and protect worker rights, the economy's formal sector is small, and efforts to organize workers in-country are challenging. Employer resistance and limited labor law enforcement has adversely impacted unionization. These issues, together with workers' limited educational and vocational capacities and lack of awareness of their workplace rights, limit the operating environment for unions. NGOs, foreign donors, government of Ethiopia (GoE) ministerial interlocutors, unions, and some employers are beginning to collaborate on vocational training efforts and the protection of worker rights. End summary.

Context for Organizing Labor -----

¶2. The Constitution recognizes a worker's right to form and join a trade union. Labor Proclamation 377/2003 serves as the basis for most current labor legislation protecting worker rights. Roughly 300,000 workers or about 1% of Ethiopia's workforce are union members. Unions are found largely in parastatals, sizeable enterprises, and export agricultural plantations. 91% of working-age Ethiopians are self-employed, mostly on small family farms, further contributing to low union penetration.

Obstacles to Unionization -----

¶3. Employers frequently resist unionization, often severing employment union activists and organizers. Many employers maintain that union leaders are confrontational and that therefore unions are detrimental to private sector growth. Likewise, many Ethiopian workers we have spoken with said they do not see unions as effective advocates for issues of safety, health, and freedom from harassment.

¶4. Workers have the legal right to strike, however, the process of declaring a legal strike is complicated and lengthy. While the law prohibits retribution against strikers, labor leaders highlight that most workers are afraid to participate in labor actions due to high unemployment and long delays in the hearing of labor cases. The Confederation of Ethiopian Trade Unions (CETU) blames some of the difficulties of union organizing and poor labor law implementation on a general lack of awareness among both workers and employers. The European Union (EU) recently funded intensive International Labour Organization (ILO) training programs on new labor law implementation for hundreds of people across four regions. MOLSA is encouraging interdisciplinary efforts to boost labor-related course offerings across the country.

15. GoE interference in union activities and limited enforcement of worker rights creates additional deterrents to union membership and activism. The 2007 International Trade Union Confederation report on the violations of union rights stated that many trade union leaders are regularly intimidated, removed from their posts and/or forced to leave the country, while others have been detained without trial. The GoE closely monitors CETU activities, and has replaced the Ethiopian Teachers' Association (ETA) with a GoE-dominated association.

16. The GoE has failed to protect the legal rights of union activists and organizers by insufficiently providing court resources to promptly adjudicate cases. Union sources report that employers frequently fire union activists and organizers, in contravention of the labor law. Recently labor courts have required employers to reinstate such workers; however, due to case backlogs in the courts, lawsuits often take more than four years to adjudicate.

Government Unions Discouraged

17. Labor proclamation 377/2003 created political and legal space for new unions to be established. However, Labor Proclamation 377/2003 specifically excludes teachers and civil servants, including judges, prosecutors, and security service workers, from organizing or joining unions. The Ethiopian government employed 500,000 workers in 2007, constituting only 1.6% of the total workforce. The law also prohibits strikes by public or private sector workers who provide essential services, including air transport, urban bus service and sanitation workers, electric power suppliers, gas station, telecommunications, hospital and pharmacy personnel, and firefighters. Such comprehensive exclusionary provisions further reduce worker incentives to unionize. While half of the non-agricultural workforce is employed in the service sector, the numbers affected by the strike ban are currently unknown.

The Role of CETU

18. CETU is the national union federation. The unions and their federations are funded by a 1% deduction of dues from workers salaries. Of those dues, 60% funds the union's operational costs, 30% finances the applicable sector federation (Ethiopia has nine sector federations) and 10% supports the CETU. CETU and the applicable sector federations provide limited training for union officials via donor support, and currently lack the resources to be sufficiently effective. CETU built a meeting hall for a training center, but is currently struggling to identify funding for dorm and classroom construction.

Education and Productivity Low

19. It is difficult to organize workers and obtain employer recognition when many workers are illiterate and/or lack adequate vocational training to meet current workforce demands. CETU, GoE agencies, employers and donors recognize that to increase productivity and wages, Ethiopia must do more to match worker training and educational exposure to market-driven, private sector needs. The adaptation and customization of international industrial standards will serve to increase the demands and rewards of technical certifications. Such initiatives will strengthen worker performance and enhance union development. In an effort to upgrade union members' skills, CETU has recently entered into school collaborations. Additionally, the Ministry of Labor and Social Affairs (MOLSA) is working with the Ministry of Education (MoE) and employers to revise the Technical, Industrial and Vocational Education and Training (TIVET) curriculum which prepares students for private sector employment.

Union Successes

110. Several recent union successes are worth highlighting. In 2007, forty flower farms of 25,000 workers (total) recognized unions and negotiated collective bargaining agreements (CBA). A 40,000 union membership among coffee and tea plantation workers well brands those industries in international mediums. Compensation, benefits, and working conditions of unionized plantation employees with CBAs are

comparatively better than those of non-unionized, casual workers. Labor experts estimate that more than 90% of unionized workers are covered by CBAs.

Comment

¶11. Unions and union leadership are an evolving phenomenon. In the current organizing climate, if union leaders ignore members' workplace concerns, parallel unions emerge and compete for membership. New union leaders tend to be younger, more responsive to member concerns, and more educationally equipped than their elder organizing mentors. While many workers are either unaware of labor laws or feel pressured to ignore them, perceptions are beginning to change. Although employer and GoE responses to unionization efforts have been guarded, cautious, and at times menacing, a slow trend toward union institution-building is emerging.

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